

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARLOS MUNOZ, INDIVIDUALLY, AND ON
BEHALF OF ALL OTHERS SIMILARLY
SITUATED,

Plaintiff,

-against-

CHINA EXPERT TECHNOLOGY, INC.; PKF
NEW YORK, CERTIFIED PUBLIC
ACCOUNTANTS, A PROFESSIONAL
CORPORATION; PKF HONG KONG,
CERTIFIED PUBLIC ACCOUNTANTS; BDO
MCCABE LO LIMITED, CERTIFIED PUBLIC
ACCOUNTANTS; BDO SEIDMAN, LLP,

Defendants.

07 Civ. 10531 (AKH)

**NOTICE OF MOTION AND MOTION TO DISMISS
SECOND AMENDED COMPLAINT AS AGAINST DEFENDANT PKF HONG KONG**

ORRICK, HERRINGTON & SUTCLIFFE LLP
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December 14, 2009

Attorneys for PKF Hong Kong

PLEASE TAKE NOTICE that upon the annexed Memorandum of Law in support of this Motion, the Declaration of Charles J. Ha filed concurrently herewith and the exhibits annexed thereto, the Request for Judicial Notice filed concurrently herewith, and all other pleadings in this action, PKF Hong Kong will and hereby does move this Court, before the Honorable Alvin K. Hellerstein, at a time to be determined by the Court, at the United States District Court for the Southern District of New York, Courtroom 14D, located at 500 Pearl Street, New York, New York, 10007, for an order pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act dismissing the Second Amended Complaint as against defendant PKF Hong Kong, and for any other relief the Court finds just and proper.

PLEASE TAKE FURTHER NOTICE that any opposition to this Motion shall be due no later than January 28, 2010, pursuant to the letter endorsed on October 19, 2009 (Dkt. 61).

Dated: December 14, 2009

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ Michael C. Tu
Michael C. Tu

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